

Remarks

Claims 1-20 remain in the case. Claims 4-6, and 16 have been amended.

Claim 16 stands rejected under 35 U.S.C 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular claim 16 recited the limitations "said receiver" and "said first signal" for which there was improper antecedent basis. Claim 16 has been amended to recite proper antecedent basis. Therefore, the rejection of claim 16 should be withdrawn.

The rejection of claims 1-2, 4, 7, 8, 10 and 13 under 35 U.S.C. 102(b) as being anticipated by Greene (U.S. Pat. No. 6,107,914) is respectfully traversed.

Claim 1 recites a vehicle security system for a vehicle having a monitoring device for sensing the presence of a body within the vehicle. A transmitter in the vehicle broadcasts an intrusion signal to a remote vehicle interface device exterior to the vehicle in response to the monitoring device sensing the presence of the body with the vehicle.

Greene describes a vehicle anti-theft and anti-vandalism alarm system that uses a vehicle motion sensor for sensing the movement of a vehicle. The passage as referenced by the office action in column 9 lines 26-31 states in part "first detecting (212) movement by the vehicle axle motion sensor (20A) within a vehicle...sending (214) an electrical signal from the vehicle axle motion sensor (20A) to the vehicle motion sensor (20)." Greene utilizes sensors only to detect the movement of the vehicle such as the rotation of the axle, whereas claim 1 of the present invention senses for the presence of a body within the vehicle. The present invention is concerned with an intruder within the vehicle and for the safety of the user of the vehicle. In contrast, Greene is concerned with theft or vandalism of the vehicle for which a vehicle may be moved and may be done so without the presence of an intruder within the vehicle such as in the case of vehicle towing. Greene's description of

sensing for vehicle movement fails to meet the limitation of sensing the presence of a body within the vehicle, and the rejection of claim 1 should be reversed.

Claims 2, 4, 7, 8, 10 and 13 depend from claim 1 and are therefore allowable.

The rejection of claims 3, 5, 6, and 16 under 35 U.S.C. 103(a) as being unpatentable over Greene (U.S. Pat. No. 6,107,914) is respectfully traversed.

Claims 3, 5, 6, and 16 depend from claim 1 are therefore allowable.

The rejection of claims 9 and 17-19 under 35 U.S.C. 103(a) as being unpatentable over Greene (U.S. Pat. No. 6,107,914) in view of Attring et. al. (U.S. Pat No. 6,556,135) is respectfully traversed.

Claim 9 depends from claim 1 and is therefore allowable.

Claim 17 recites a method for sensing a presence of a body within a vehicle. The method includes locking the vehicle and activating a monitoring device for detecting the presence of a body within the vehicle. The presence of a body is sensed within the vehicle and an intrusion signal is provided to a remote vehicle interface device indicating the presence of the body within the vehicle.

Greene fails to describe sensing for the presence of a body within the vehicle as discussed earlier. Attring also fails to describe sensing for the presence of a body within the vehicle. Since Greene and Attring fail to teach or suggest the limitations of claim 17 either individually or in combination, the rejection of claim 17 should be withdrawn.

Claim 19 recites the step of resetting the monitoring device in response to a control action by a carrier of the remote vehicle interface device where the resetting of the monitoring device temporarily suspends the sensing.

The office action references Greene Col 10 line 13-17 which describes the portable device as having an arm/disarm switch where the switch has an arm position and disarm position. The movement of the switch into either

position arms or disarms the feature. In contrast to claim 19, the resetting of the monitoring device temporarily suspends the sensing. This is performed so that sensing automatically resumes to determine if the intruder is still within the vehicle without the carrier of the remote device having to manually activate the sensing system. The addition of Attring fails to strengthen the rejection as Attring makes no reference to resetting the occupant intruder sensing system for the vehicle. Since Greene and Attring fail to teach or suggest the limitations of claim 19 either individually or in combination, the rejection of claim 19 should be withdrawn.

Moreover, claim 18, 19 depend from claim 17, respectively, and are therefore allowable.

The rejection of claims 14 and 15 under 35 U.S.C. 103(a) as being unpatentable over Greene (U.S. Pat. No. 6,107,914) in view of Farukawa (U.S. Pat No. 6,243,022 B1) is respectfully traversed.

Claims 14 and 15 depend from claim 1 and are therefore allowable.

The rejection of claims 11, 12, and 20 under 35 U.S.C. 103(a) as being unpatentable over Greene (U.S. Pat. No. 6,107,914), and in further in view of Osterweil (U.S. Pat No. 6,049,281) is respectfully traversed.

Claim 11 recites re-determining if the sensors sense the presence of the body with the vehicle in response to the reset signal. This allows a user remote from the vehicle to reset the monitoring system to re-evaluate if the system correctly detected the presence of an intruder within a vehicle.


Osterweil describes a system where a caretaker is actuated to deactivate the monitoring device so that the caretaker can render assistance to the monitored individual. The monitoring device in Osterweil is not reactivated to detect the presence of the monitored individual but rather to detect the exiting of the individual from the support structure. In Osterweil, the presence of the individual is already known as the caretaker is within the room assisting the individual. The deactivation of the monitoring system is

performed so that the caretaker (i.e., person deactivating the monitoring system) may enter the structure and not trip the monitoring system. Resetting the monitoring system (including after a predetermined delay) allows the caretaker to enter the monitoring area to provide assistance and exit. As a result, there is no motivation to combine the Greene and Osterweil since combining the references would teach away from the claimed invention. Therefore claim 11 is allowable.

For the same reasons as discussed above, claim 12 and 20 are allowable.

In view of the foregoing amendment and remarks, all pending claims are in condition for allowance. Favorable action is respectfully solicited.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Frank L. Lollo", is written over a horizontal line.

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